

# WASHINGTON.

—Liberty and Union, now and forever, one and inseparable—

TUESDAY, NOVEMBER 21, 1854.

## THE DILLON CASE.

In the defence of the French Government which appeared in the semi-official columns of the *Paris Constitutionnel* for the expulsion of Mr. SOULE from the territory of France, among other pleas of justification brought forward, our readers will have observed the case of the arrest of the French Consul, Mr. DILLON, by order of a Judge of the United States, at San Francisco, in April last. Our friendship for the estimable gentleman who filled the office of Judge of the United States for the District of California, (Judge HOFFMAN), whose official conduct was brought in question by the apparently grave act of putting under compulsion the Consul of a foreign friendly Government, induced us to give more attention than we perhaps might otherwise have done to that transaction when the news of it first reached here, but it did not appear to us, on inquiry, to be worthy of any serious notice. Seeing, however, the matter formally revived under the reputed sanction of the French Government, together with some strong animadversions by a portion of the New York press on the alleged ill treatment of Mr. DILLON by Judge HOFFMAN, we are led to think that the facts of the affair are not well understood, and to conclude—passing by the strange inconsequence of the French Government in venturing upon Mr. SOULE's assumed injury to Mr. DILLON—that justice to Judge HOFFMAN, as well as to the truth of history, imposes on us the duty of laying the case fully before our readers. We propose to do this by a concise statement of the facts as they occurred, with such reflections on their relation to our Government's truth, without regard to party feeling, seems to demand.

Our Government had received information that certain citizens of the United States, in the State of California, were engaged in organizing a military expedition there for the purpose of making a hostile descent on the Mexican territories of Lower California and Sonora. Thereupon the President issued a proclamation, calling on the officers of the United States in the State of California to interpose to prevent, if possible, any such violation of our peaceful relations with the Mexican Republic, and special instructions to the same effect were dispatched to the commanders of our military and naval forces and to the law officers of the Government. Meanwhile a portion of the expeditionary force had succeeded in getting to sea, under Walker, and had effected a landing in Lower California. But the energetic steps of the Federal authorities in the State of California prevented Walker from receiving any reinforcements, so that the expedition failed, and some of the leading parties embarked in it, on their return to California, were indicted, and two of them, Watkins and Emory, were convicted. The Government had thus, in good faith, maintained the law against our own citizens, and manifested its good faith towards the Mexican Republic.

Subsequently to this the Mexican Consul at San Francisco, Mr. Del Valle, was found to be openly engaged in recruiting French subjects, sojourners in California, for the military service of his Government. This act was contrary to the policy of the United States, as evinced by a provision of an act of Congress which forbids even a friendly foreign Government to open a recruiting station, either for its military marine or for its army, within the United States. Accordingly, Mr. Del Valle was indicted and convicted of misdemeanor in the violation of this law.

As to the Mexican Consul, the case was a plain and simple one. He had, ignorantly perhaps, violated the law, yet he had not done this in any sense or purpose of infringing the neutral relations of the United States. But the persons who were recruited were Frenchmen, and it had been done with perfect secrecy, under the eye and with the apparent acquiescence of Mr. Dillon, the French Consul. This fact complicated the matter; because it was generally believed in San Francisco, if not known, that although the recruits were professedly engaged for the service of the Mexican Government, yet the true purpose of the thing was hostile to Mexico, and that it was a filibustering plot of Rausset de Boubon for the invasion of Sonora. If so, and if Mr. Dillon was concerned in it, then he was guilty of a double delinquency—first, in recruiting troops apparently for the service of Mexico, and secondly, in recruiting them really against Mexico, and of course in violation of the neutrality of the United States. Mr. Dillon, therefore, was himself indicted.

Under these circumstances, when the trial of Mr. Del Valle came on, Mr. Dillon was summoned to appear as a witness for the United States, and refused under claim of his privilege as Consul, which claim was acquiesced in by the District Attorney.

Afterwards Mr. Dillon was summoned as a witness by the defendant, Mr. Del Valle, and again claimed his privilege as Consul. But Mr. Del Valle's attorneys were not satisfied with this. They insisted that the party on trial had a constitutional right to the benefit of his testimony, and demanded compulsory process from the District Court to enforce his attendance. The Court (Judge Hoffman) granted this; but, on the appearance of Mr. Dillon, and after full argument of the question of his rights as Consul, the Court decided in favor of his pretension, and he was discharged. Mr. Dillon, however, chose to consider his arrest as a national indignity, took down his flag, and consigned the business of his Consulate to the Consul of another Government. This is the alleged outrage on the French Consul.

Now, upon this it is to be observed that, however unacceptable it may be that Mr. Dillon should have refused his testimony to the United States, yet it is extraordinary that he should have obstinately refused the benefit of it to his friend and associate, Mr. Del Valle. The only possible explanation of this fact is, that his testimony would have tended to the conviction of Mr. Del Valle, and perhaps would have convicted himself of complicity with Del Valle, or possibly with complicity with Rausset de Boubon.

Next, it is to be remembered that the compulsory process against Mr. Dillon, and the outrage, if any, was not the act of the Government of the United States, but of a judicial tribunal, or rather of Mr. Del Valle exercising the ordinary right of any party in the United States, high or low, citizen or foreigner, to make use of legal process in the

name of the Court to compel the attendance of witnesses. Our institutions do not give the Executive any authority or control over the Judiciary, which acts for the protection of private rights in its own appropriate sphere, wholly irrespective of the Government. If there was any wrong in the matter, it was merely an error of judgment of the Judge in favor of another foreign Consul on trial before him; and surely of all possible errors that is the most venial, and one of all others to be regarded leniently by any foreign Government. But the wrong, whether grave or light, was not a wrong perpetrated by the Government of the United States.

Moreover, it is a nice question to determine whether the Court erred, as Mr. Dillon insists, in first requiring his attendance, or did not rather err, as Mr. Del Valle contended, in the second conclusion, which produced the discharge of Mr. Dillon. The exemption set up by the latter was under a treaty negotiated by Mr. Everett on the 23d of February, 1853, which contains the following clause:

"They (French Consuls) shall never be compelled to appear as witnesses before the Courts. When any declaration for judicial purposes or deposition is to be received from them in the administration of justice, they shall be invited in writing to appear in Court, and if unable to do so, their testimony shall be requested in writing or be taken orally at their dwellings."

But the Constitution of the United States provides that:

"In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence."

In view of this provision of the Constitution, Mr. Del Valle's counsel argued that the clause of the treaty must be construed with exception of the particular case of the constitutional right of an accused party demanding the personal attendance of a French Consul; and there is much plausibility, to say the least, in this view of the case. But the Court, on reflection, decided otherwise, and therefore discharged Mr. Dillon.

Now, when Mr. Dillon proceeded to haul down his flag, and thus to treat the momentary error (if indeed it was an error) of a most honorable and upright Judge as a national affront, it is impossible not to suspect that he did so for the purpose of covering up his own personal criminality under an ostentatious parade of a pretended national wrong done to his Government; for Mr. Dillon was himself charged with crime. To be sure, when he came afterwards to be tried the jury did not agree, although a majority were for conviction, and therefore the District Attorney entered a *nolle prosequi* in the case. But if he had been tried at a later period, after the public belief of the criminal purpose of Rausset de Boubon and his men had become knowledge by reason of what had occurred at Guaymas, he could not have escaped conviction; and he remains convicted by sound public opinion of guilt towards Mexico, as well as guilt towards the United States.

This impression is confirmed by another consideration. The condition of the treaty, that French Consuls, whose testimony is needed, shall be invited in writing to appear in court, and, if unable to do so, their deposition shall be requested in writing. Was Mr. Dillon unable to attend? No; he was unwilling, not unable, and his refusal to attend was based on a mere pretext. It was extreme courtesy on the part of the Judge to accept this excuse; for, if disposed to push the rules of legal practice to extremes, he might have insisted on considering and determining the question of inability himself, instead of taking it on the declaration of Mr. Dillon.

There is one other relation of the subject which renders the conduct of Mr. Dillon in this whole affair peculiarly objectionable. The United States are continually accused, both at home and abroad, of want of will or of strength to prevent or to punish unlawful enterprises of our people against friendly Governments. These imputations are quite common in France. And yet here two foreign Consuls in San Francisco, the French and the Mexican, are detected in the violation of our neutrality laws, by participation in the enlistment, within the United States, of Frenchmen for the object, as the result proved, of invading Sonora as filibusters; and in the midst of our well-intended and honest exertions to maintain our neutrality laws in this emergency, the French Consul contrives to cover up his own delinquencies under the smoke of a quarrel which he gets up between his Government and that of the United States.

Not only is the American Government drawn against its will into a controversy with that of France by this misconduct of Mr. Dillon, but not improbably with the Mexican Government also; for, until the occurrence of the difficulties raised by Mr. Dillon, the law officers of the United States were able to convict the companions of Walker. But all is now changed in consequence of the emotion produced by the tragical fate of the filibuster Rausset de Boubon; for Walker, on being brought to trial, is acquitted, and the strongest indications exist at present that the many adventurers in California will now organize a third and a more successful invasion of Sonora, in spite of all the counteracting efforts of the American Government. For these regrettable consequences the fault rests wholly on the conduct of the Frenchmen sojourning in California, and of their Consul, Mr. Dillon. It is impossible to see how in all this any thing of blame is imputable to the American Government.

Neither Mr. Dillon nor his Government complains of his being indicted for his apparent complicity with Mr. Del Valle and Rausset de Boubon. If Mr. Dillon chose to make an issue on that point it might possibly involve the responsibility of the American Government, whose executive law officers had charge of the indictment. This he does not do; he does not pretend that a French Consul is exempt from amenability to the law of the place for a criminal act. What he complains of is his arrest as a witness on the order of the District Court.

To appreciate the true merits of the case it needs only to consider the precise facts, which are, of one foreign Consul, Mr. Del Valle, employing the ordinary process of the judicial tribunals of the country against another foreign Consul, Mr. Dillon.

There was outrageous wrong in this business, not on the part of the American Government or of the District Court, but of Mr. Dillon and his countrymen in California. It was wrong for Rausset de Boubon, a French adventurer, to make San Fran-

cisco the point of organization and of departure for a filibustering attack on Sonora, in violation of our laws and of our neutral relation to the Mexican Republic; it was wrong for the French Consul to countenance and co-operate with Rausset de Boubon; it was wrong for him to refuse to testify in behalf of his brother Consul, Mr. Del Valle; and it was wrong for him to haul down the flag of his nation, and thus petulantly and wantonly, if not for worse inducements, to put at hazard the peace and good understanding of France and the United States. These are the grave incidents of the affair, in all which the United States are the aggrieved party, and have just cause of complaint to France against Mr. Dillon, not France to the United States.

A very simple supposition will afford pertinent illustration of the true merits of the question. The Emperor NAPOLEON feels aggrieved because an ex-Consul of the United States publishes a political address in the interest of the French Republic. But contrast with this act of an ex-Consul of the United States that of the actual Consul of France in San Francisco. Or change the case, and suppose that the American Consul at Bordeaux were found recruiting a band of foreign adventurers there for the invasion of Spain; would that be satisfactory to the Emperor of the French? If any American Consul had been guilty of a tithe of the questionable things which Mr. Dillon has done, all Europe would have been made to ring with outcries against him and his Government.

But, after all, there is nothing in the Dillon affair which ought to disturb for a moment the good understanding between the French and American Governments. Whether Judge Hoffman erred in ordering the arrest of Mr. Dillon, or Mr. Dillon erred in refusing to testify, and then abruptly hauling down his flag, is a matter altogether trivial and insignificant, compared with the great commercial and political interests which bind together France and the United States. It may require some discretion in the settlement of the question so to proceed as to reconcile the two things at stake: that is, the dignity of the American Government, which is really and deeply injured by what Mr. Dillon has done, when taken altogether, and the dignity of the French Government, which is also compromised by the mode in which he resented the act of the District Court. But as the American Government did not dictate or anticipate the act of the Court, and as the French Government did not dictate or anticipate the act of Mr. Dillon, it only requires the exercise of ordinary forbearance and good will on both sides to dispose of the question satisfactorily to each Government.

## DEMOCRATIC OPINIONS.

We have already given the views of several Southern prints in reference to the question which for the last nine months has disturbed the peace of the country and unsettled the condition of the old political parties. As a matter of record we now give place to an article from the leading Democratic paper in the State of Maine, based upon the results of the late elections:

FROM THE AUGUSTA (MAINE) AGE OF NOVEMBER 16. The results of these elections are imputable to a cause too apparent to admit of a doubt. They are not so much *Wig triumphs as Democratic defeat*. They are not the product of a single party, but of a general disaffection. They are to be regarded as the verdict of the People on the doings of Congress, in the matter of the repeal of the Missouri compromise and the opening of the slavery controversy. Right or wrong, they looked on the disturbance of that compromise as a violation of the great national adjustment of 1850, to which Congress, both political parties, and the People themselves were solemnly committed. The manner in which the repeal was forced through Congress, in spite of popular protestations, and without giving the People an opportunity to pass on the question whether they would change their territorial policy by establishing a new and an unjust territorial policy, was viewed as an insult to the people, which a proper vindication of their own rights compelled them to rebuke by some signal and unmistakable demonstration of their will.

It is a wholesome though a severe lesson to the servants of the people not to assume to play the master; not to attempt to lead popular sentiment, but to follow it; not to endeavor to coerce the public judgment, but to conform to its behests. Received in this spirit, our recent defeat will be the means of ultimate good to the Democratic party. They afford another illustration of the capacity of the people for self-government, and show that no party is so powerful that it can safely treat the fixed sentiment of the country with contempt or indifference. The Democratic party, being in the majority in the National Legislature, is held responsible for the recent objectionable act of Congress, and on this has fallen the heavy burden of popular displeasure. A new and an untitled agent of another, that ill-starred measure has "ensured to the benefit of the common opposition of the Democratic party;" and the good accomplished by it has not been commensurate with the evils arising from the "agitation that necessarily stood in our path," to say nothing of the disasters and overwhelming defeats which have every where overtaken us.

But, learning wisdom from the past, let us look more hopefully to the future. What has been done cannot be recalled. Let us receive our defeats in a spirit of humility, trusting that they may be sacrificed to our lasting good. Let us go back to popular confidence, and let us resume our position on the safe and secure National Platform which the party occupied when in 1852 it was elevated to power by the suffrages of a vast majority of the American People.

SOUTHERN RAILROAD.—The Chief Engineer is advertising to receive proposals till the 15th December next for the construction of the Alabama and Florida Railroad, and for furnishing the locomotives, cars, &c. necessary to work it. He announces his intention to have the entire line of the road open for travel on the 1st March, 1855.

THE OHIO RIVER, at Wheeling, has something more than three feet of water in the channel. The Wheeling Gazette states that the steamer Hartford had left for Pittsburg, and that the Steubenville packet Virginia had also resumed her trips.

RAILROADS VS. EXPRESS.—The Central Ohio Railroad Company, considering that Adams & Co.'s Express Agency has been the instrumentally in the hands of the brokers to draw gold from the banks, and thereby cause distress to the industrial interests, has instructed the Superintendent of the road to make no contract with the Express except upon the condition that it shall not act as the agent of the brokers.

Mrs. LUCY BRASHAW, who was the first woman ever married in Louisville, died recently in Madison county. She was present at the siege of Bunker's Fort in 1776, and was born in Virginia July, 1701.—*Louisville Courier*.

SALE OF WILD ANIMALS.—The wild animals that formed a part of Barnum's travelling menagerie were sold at auction in New York on Wednesday, the horses having been sold some days before. The two giraffes, male and female, were bid in by Barnum himself, who values them at \$7,500. For the rhinoceros no offer was made, and the presumption is that he will have to be turned out to graze. Seven elephants, which were imported from Ceylon in 1849 at a cost of \$2,000 each, were sold in a lot for \$2,200. Barnum subsequently bought one of them back again with the design of making him serviceable as his farm at Bridgeport. The next lot, consisting of two lions and one lioness, performing animals, an Asiatic lion and lioness, a royal Bengal tiger, hunting leopard, zebra, white camel, black bear, spotted hyena, alpaca, prairie wolf, striped hyena, monkeys, parrots, wabons, canyass, &c. were knocked down for \$2,500. Tom Thumb's two ornamental travelling carriages were sold, one for \$65 and the other for \$40.

Intelligence has been received of the death, in Texas, of Brevet Major GEORGE W. F. WOOD, of the U. S. Army. He was a native of Philadelphia, and entered the army as Second Lieutenant of Infantry in 1838.

## PARTY PROSPECTS.

The late elections have damaged all parties more or less; but our Democratic friends have been nearly extinguished. Indeed, the dismasted state of the Democratic ship would be distressing to those even who owe it no good will, if it were not for the expedients resorted to by its officers (the editors) to keep it afloat, and their amusing efforts to persuade the crew to be of good cheer, that nothing has happened, and all's well. As men bear the misfortunes of others with proverbial philosophy, we are not to be thought particularly hard-hearted if we regard with entire fortitude the political shipwreck of the party of our neighbor the Union, and even experience a degree of pleasure at its grave attempts to cover up the past and to promise its followers a bright future.

The "future," indeed, occupies the anxious thoughts of Democratic politicians on the "stump," as well as editors in the closet. If we give credit to all the buoyant declarations made within the last two months, no substantial damage has been done. One of the leaders cries out, "Let us be of good cheer! All is well! Though the heavens are partially overcast, the clouds are passing away! The prospect of a glorious day never was brighter!" The same defiant champion says: "Let there be no compromises with the enemy, for they are the enemies of the country; no concessions to the pernicious and hateful aims of the day." And, again, that the elections lately held "are the result of a coalition between incongruous and irreconcilable elements which cannot be held together in harmonious action." The official journal in this city finds the same sort of consolation, and says the "fusion victories" "were only the results of a wretched combination of mischievous factions."

The inquiry very naturally arises, If the Whig party was in a minority before, how did they furnish materials for the now victorious cohorts? If they did not accomplish this conceded impossibility, the still more apt question arises, what party did? The answer is as clear as logic or mathematics can make it: The Democratic party most certainly furnished these recruits. And if these straggling "isms" gathered from that party for the purpose of overthrowing it, are "hostile factions" and "vile" and "monstrous" combinations when acting with the Whigs, pray tell us if the political Ethiopian can change his skin or the leopard his spots by a coalition with the Democracy? Will the floating material be purified if it gets into the Democratic crucible? Are not all the calculations of future success based upon the idea that these now abused fragments are to change position and join the Democracy? Or do they expect to convert pure Whigs by this continued and unmitigated detraction? "The people (says the organ) are already affrighted at the strange results and at the monstrous isms which have triumphed in them." Ah, indeed! We thought, in our simplicity, that the people were "sovereign," and were "left free" to do as they please! Will the loose particles be less hideous if they float back again to the Democracy? In short, if the elements are "incongruous" when in alliance with the Whigs, will there be more congruity in them when joined to the Democrats? But, if the hope of a pleasant "future" gives present pleasure to the discomfited party, far be it from us to disturb the "genial current of the soul."

## NAVAL PREPARATIONS.

Some of the newspapers seem surprised at the activity at present displayed in fitting out the national vessels at the various navy yards. We perceive nothing unusual in these preparations. A large portion of the squadron lately on duty in the China sea is already on its way home; the Mediterranean squadron has been absent more than two years; and it is not improbable that ships on other stations require to be relieved. These preparations may be directed to that object, as it is not unfrequently happens that many months are occupied in providing crews and other necessary outfit for vessels for war proceeding to distant stations.

SENATORS TO ELECT.—At the approaching session of the respective Legislatures, there will be Senators of the United States to elect in Illinois, Iowa, Wisconsin, Arkansas, Missouri, Louisiana, North Carolina, Pennsylvania, New York, Maine, and California. New Hampshire will elect two in May next.

The result of the late election for Governor of New York is not yet positively ascertained, but all the newspapers concur that Mr. CLARK is elected.

WASHINGTON CORRESPONDENCE.—Speaking of the acquittal of Ex-President Walker of the charge of making war upon Mexico, in Lower California, the regular correspondent of the Baltimore Sun says: "It is now feared that a filibustering expedition will at once be organized against Sonora, and, what is worse, it is believed that the Government does not possess the means to arrest it."

If the Government does not possess the means to arrest a "filibustering expedition," it is a sorry evidence of preparation for war with two of the great maritime nations of the earth. But in this case, as in every other, "where there is a will there is a way," and it is but a poor compliment to our authorities to doubt their possession of both.

MONEY MATTERS.—The Baltimore American says the money market still wears a gloomy aspect. We may be allowed to suggest that there is one method of brightening it up a little. Let not the rich man who owes the poor one any thing put off payment even for an hour. A single hundred dollars, started round in the morning, may pay a thousand before night if kept moving in the proper channel. It is the disposition of the money-holder to watch for a larger per centage that gives "the gloomy aspect," and the cry is often raised by the avaricious as an excuse for delaying payment to the needy. If "pay as you go" were a maxim of every day's practice, we should soon hear no more of "tight times."

A NEW WAY OF ADVERTISING.—A man who was about to open a bar and restaurant at Buffalo (New York) advertised that he would redeem the notes of the Farmers' Joint Stock Bank at par between the hours of ten and twelve on Wednesday morning. This notice was designed to draw a crowd and advertise the new saloon; and, as the par value of the bills was reputed to be at zero, the man did not run a very great risk. The crowd came, filled the drinking saloon to its utmost capacity, and besides laid siege to Robinson & Co.'s Bank, which was near by. The Commercial says:

"Some two or three hundred Germans presented their Joint Stock money over the counter and clamored for 'cool money.' In vain did Mr. Robinson and his clerks endeavor to explain, for their voices were drowned in the perfect babel of the unintelligible jargon of their persecutors. 'Seilber dollars!' 'Meine Gott! gib mir de gold!' and a thousand Dutch curses rose upon the air simultaneously, and the scene was as ludicrous as exciting. After awhile the matter was explained to the crowd, but a number of them loitered round the door until noon, quite unwilling to give up the last hope of recovering the two or three dollars at present sunk in the Joint Stock concern."

It does not appear that those who presented their bills at the saloon received specie, but we are told that the man who came ten miles to change his money felt rather disappointed. Such a transaction is rather too serious for a joke.

## PROSPECTS FOR KANSAS.

Like all other subjects, KANSAS has two sides, and the newspapers and letter-writers at that quarter shape their thoughts and words exactly according to preconceived prejudices and prospective interests. We published, a day or two ago, an extract of a letter from the Fort Leavenworth correspondent of the Boston Post, in which the writer asserted that slavery could not be established in Kansas, and that a large portion of the settlers from Missouri would vote against it. Mr. CAMPBELL, of Ohio, who has just returned from Kansas, where he went on a special mission to the Indians, takes the same view of the matter:

"He states that he was as far South as the Osage river, and represents the country as a splendid one. He represents the Neosho Valley as the finest part of the Territory. The Indian tribes he visited are pretty well mixed up with whites, having many half-breeds among them. The most of the settlements are back of Fort Leavenworth and Kansas valley. Mr. Campbell estimates that there are about five thousand people permanently fixed in the Territory. He says that if it were left to the Missouri emigrants alone to vote against slavery in Kansas, a majority of them would vote 'No' to the institution, and five out of seven of the whole people. He thinks that there is no earthly chance for slavery in Kansas—hardly an equal chance at that. The land is taken up in small tracts by those who will exercise the prerogative of squatter sovereignty. Slavery cannot live on little tracts; it requires large plantations."

Mr. E. M. DODSON, brother of the Editor of the Georgia Examiner, gives a different view. He thinks the efforts of the Abolitionists who are inducing emigration thither will not avail. He says:

"At present the portion of the Territory open for settlement is mainly in the possession of those favorable to slavery; they cover the larger portion of the Territory suitable for small farms and men of limited means. The parts most remote from timber, and most favorable for settlement by poor men, are determined at an early period, the character of the population, their superior intelligence, their familiarity with political canvasses, their position in the Territory, would give those favorable to slavery a decided advantage."

The house must be framed up of brick. Slavery needs no act of legislation to establish it; it requires an act of competent authority to prohibit it. The Territorial Legislature is not competent to abolish or exclude it. This is deemed by the best lawyers a matter of certainty. It cannot be excluded until the people of the Territory form their constitution for a State Government. By that time the true value of the Territory will be ascertained. It is, without doubt, the best fitted for poor settlers of any Territory ever opened; it is well adapted to men of wealth. The absence of timber requires for the making of a farm more than the Abolitionists possess. The house must be framed up of brick. Slavery cannot be built. Fencing must be of plank, or the rails hauled generally to a great distance. This requires the fields to be large, or the expense is proportionately too great. To break prairie requires a team of not less than six yoke of oxen. There is no timber land for cultivation; every foot is required to support the demand for fuel and timber."

"Already the poor settlers from the free States—who had taken their families are returning. For men of means it is a very desirable agricultural country—well adapted to grain, peculiarly fitted for the culture of hemp and for the raising of stock. To a man with capital it is far easier to make a farm on prairies than in the timber. It is finely watered, and with a great abundance of fine building stone. Necessity will compel it to become a home for the rich; for those who can command money and labor. The poor man who has neither, but relies on his own single arm, is a fool to go there."

He speaks of the difficulty of getting white labor, and says the only labor which can be hired is slave. He gives a glowing account of the agricultural quality of the land, which is mostly prairie, requiring capital to fence it:

"Many emigrants are going to Kansas from Kentucky, and other slave States. Missouri will leave no stone unturned, even to the desertion of her negroes, to swell her population, to save it from Abolitionists; and if the people of the other slave States do justice to themselves we will see it for the South."

"The Vice-President resides at our county seat, and is the most devoted Southern man in the Union. We give him the credit of the repeal of the Missouri Compromise, he having taken that stand alone. His whole influence is, of course, in favor of slavery in Kansas."

If the correspondence the New England journals are publishing from persons that have gone to Kansas is all to be relied upon, the climate of that country is one of the most salubrious in the world. Even in November they are said to have cool west winds almost constantly, and pure balmy air in the night. Its effect upon the health is said to be truly astonishing. A correspondent of the Springfield Republican says:

"I should like to show you now some of the pale, sickly men who came with us. They are looking up, eat and sleep well, and it does me good to see how they enjoy their renovated life. Those who were incapable of labor can now do a man's work at chopping or log-piling. One young man in my company, who was nearly blind, has lost his eyes, now goes into the woods with me every day, and stands up to his work like a man, and at night, like the good boy in the spelling-book, says, 'how good this bread and bacon tastes.'"

But, Paradise as it is, there are miserable men even in Kansas, for the writer cited above goes on to say: "There are some grumblers who expect to find here the conveniences of a settled country, and they go back, many of them, growling about the false prospects held out by the agents of the company. Some of this sort called for a change of place at the table, and thought it gave them annoyance that we could not accommodate them. We think it doing pretty well to get plates at all, and we do not regret to see such delicate gentlemen turn their backs upon Kansas. We hope nobody credits their reports of the country."

Cool is plenty. The settlers, it seems, take it from the earth, just as they need it. Every man there is his own miner. And, if the collocation is not an irrelevant one, it may be added there is no scarcity of clergymen—one each of Orthodox, Congregational, United Brethren, and Swedenborgian, with Methodists and Baptists near by. They have sermons each Sabbath. The women, too, find it a good field for the "lecturing business." Mrs. Nichols, with her two sons from Vermont, having already ascended the stump.

No trouble is apprehended from the red-skins in that region. One white man is said to be worth a dozen Indians in a rough and tumble fight, and the barbarians are beginning to find out the fact. By the way, talking of the Indians, we are told:

"Mr. ROBINSON, Indian Agent, paid to the Delawarees forty thousand instead of the seventy-four thousand stipulated to be paid in October. He told them the Government withheld the balance for their good, as a hard season was before them, and if they received the whole now in the spring they would find themselves destitute. After a grand council and much indignant talk the majority voted to take what they could get. The agent assured them that their lands should be sold to the highest bidders, as per treaty, and the squatters expelled if necessary."

We hear of no further disputes between the Free-soilers and the Slavery-men. Every thing, indeed, was going on bravely. Kansas city was full to overflowing; the Union Hotel was literally crammed. At night the floors were covered with sleepers on buffalo robes. The same may be said of Westport.

PURE BRANDY.—The Journal of Commerce says that "since the French Government have forbidden the distillation of cereals, a very active export demand has sprung up here for raw whiskey and common rum, and prices have materially advanced, with large freight engagements for France. When it comes back it will not be recognised, either by the smell, taste, or price."

The Boston Transcript states that an unusual number of clergymen have been elected to the Legislature of Massachusetts. Of those elected the Methodists have a larger number than any other.

The falling of the Congregational Church in Butler county, Ohio, was caused by the giving way of the scaffolding about the steeple, the heavy timbers of which were being lifted to their place. The scaffolding and a mass of weighty building material and several men were down with the crash, among a large number of persons standing on the ground. Robert and Nathaniel Jones were killed at once. On Friday morning John C. Jones, Esq., a prominent and estimable citizen, died of his injuries. He was a trustee and deacon of the church, the head of a large family, a stirring business man, and a country gentleman widely known. The names of the wounded are: Abner Francis, John Davis, John W. Jones, Evan Evans, Elias Williamson, Edward Jones, Thomas Jones, James Scott, William Atherton, and Jacob Phillips. Two or three of these, it is thought, have to undergo amputations.

## THE CUBAN DISCONTENT.

There is a season for the prevalence of every sort of mania; and among the periodical infusions upon the quiet reader we may note the Cuban story. About every six months we have marvellous accounts of the discontent of the Cuban Crooles and their plans for throwing off the Spanish yoke. We now have news of the recent capture of two American schooners laden with arms for the dissatisfied inhabitants, and we find that they were in charge of two natives of the island who were conducting them to their destination. A reference to the conduct of the Cubans, when Lopez risked himself and his party for them, ought to satisfy every reflecting mind that American sympathy is altogether misplaced. The Crooles wear their yoke with perfect docility, and have not invited our people to relieve them of it. Filibustering sympathy has very much the aspect of avarice.

A letter from Havana to the Editor of the Savannah Republican describes the boxes landed from one of the vessels mentioned as containing from two to three hundred stand of arms. The writer says:

"It is utterly impossible that any successful attempt at emancipation from Spanish domination can ever be made by the Croole population of this island. Although without exception they are rebels at heart, they cannot act in concert and resort to physical resistance to their oppressors. The wealthy planters very justly fear the destruction of their immense estates during the servile disturbances which would inevitably accompany any political action on their part. During all the winter months, while the dry leaves of the cane cover the ground, the application of a single match to those on the windward side of the fields would raise a conflagration which would sweep over the entire property and ruin the most wealthy Croole. With such prospects before them, we could hardly expect, even if men whose minds were not reduced to a very low standard by ages of subjection, that they should incur certain ruin with so little prospect of success as their unassisted effort would promise."

"A hazard nothing saying that so internal attempts at revolution can possibly have any other result than the destruction of all concerned in them. Opportunities have presented themselves and have been allowed to pass over to return."

"The liberal policy which CONCHA pursues will tend very much to soften down the ill-feeling between the Crooles and Spaniards, and in time may make of the former a firm supporter of constitutional government. It is supposed that he has proposed various modifications besides those he has already made, and that they will receive the approbation of the Ministry as soon as the Cortes meet. With such prospects before them, we could hardly expect, even if men whose minds were not reduced to a very low standard by ages of subjection, that they should incur certain ruin with so little prospect of success as their unassisted effort would promise."

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